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ATTORNEYS FOR PLAINTIFFS

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MARGUERITE HIKEN and
THE MILITARY LAW TASK FORCE,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE and
UNITED STATES
CENTRAL COMMAND,

Defendants.

Case No. CV-06-2812 (MHP)

**NOTICE OF SUBMITTED MATTER
PURSUANT TO LOCAL RULE 7-13**

**TO THE HONORABLE MARILYN HALL PATEL, JUDGE OF THE UNITED STATES
DISTRICT COURT AND TO THE UNITED STATES ATTORNEY:**

PLEASE TAKE NOTICE that two matters have been under submission to this Court for
more than 120 days.

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Under Civil Local Rule ("L.R.") 7-13, whenever a motion has been under submission for more than 120 days, a party may file with the court a notice that the matter remains under submission. Plaintiffs now file this Notice under L.R. 7-13 and respectfully request that the Court rule on Plaintiffs' Motion for Summary Judgment filed November 12, 2007 (Docket No. 60) and Plaintiffs' Motion For An Interim Fee Award filed April 21, 2010 (Docket No. 83).

On November 12, 2007, Plaintiffs filed their Motion for Summary Judgment. (Docket No. 60.) The hearing on Plaintiffs' Motion for Summary Judgment was held on April 28, 2008. (Docket No. 78.) On September 9, 2008, Plaintiffs filed a Notice of Submitted Matter. (Docket No. 80.)

On February 16, 2010, Plaintiffs filed their Interim Motion for Attorney Fees. (Docket No. 83.) On April 21, 2010, this Court vacated the hearing for Plaintiffs' interim fee award motion. (Docket No. 90.) On June 23, 2010, Plaintiffs filed their Notice of Submitted Matter & Request for Case Status. (Docket No. 91.) On August 24, 2010, Plaintiffs filed another notice of submitted matter and request for case status. (Docket No. 92.)

Plaintiffs now file the within Notice of Submitted Matter and respectfully request that this Court rule on Plaintiffs' Motion for Summary Judgment (Docket No. 60) and Plaintiffs' Motion For An Interim Fee Award (Docket No. 83). No sooner than thirty days after the filing of this Notice. Plaintiffs will file a petition for writ of mandamus with the United States Court of Appeals for the Ninth Circuit and seek an order from the Court to compel this Court to rule on Plaintiffs' two outstanding motions.

DATED: July 25, 2011

Respectfully submitted,

BY: /s/ Gordon Kaupp

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W. GORDON KAUPP
Attorneys for Plaintiffs